

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. NO.12885 OF 2019
AND W.M.P.NO.13074 OF 2019

G.Balaji

.. Petitioner

-vs-

1. The Secretary to Government,
Housing and Urban Development Dept.,
St. George Fort, Chennai 600 009.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai 600 003.
3. The Assistant Engineer,
D-48, Zone IV, Greater Chennai
Corporation, No.266, Thiruvotriyur
High Road, Chennai 600 021.
4. The Assistant Executive Engineer,
Unit-11, Zone IV, Greater Chennai
Corporation, No.266, Thiruvotriyur
High Road, Chennai 600 021.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents 2 to 4, their men, agents, subordinates, or any one acting under him from Locking and Sealing the building at Old No.12, New No.10/13, Muthiah Mudali Street, Old Washermenpet, Chennai 600 021, pending consideration of the Revision before the first respondent filed u/s.80-A of the Town and Country Planning Act, 1971.

For Petitioner	:	Mr.V.Vasantha Kumar
For Respondents	:	Mr.S.Kamalesh Kannan
	:	Govt. Advocate for R-1
	:	Dr.C.Ravichandran
	:	Stdg. Counsel for RR 2 to 4

O R D E R
(Order of the Court was made by M.DURAISWAMY, J.)

The petitioner has filed the above writ petition to issue writ of mandamus forbearing respondents 2 to 4 from locking and sealing the building at Old No.12, New No.10/13, Muthiah Mudali Street, Old Washermenpet, Chennai 600 021, pending consideration of the Revision before the first respondent filed under Section 80-A of the Town and Country Planning Act, 1971.

2.The learned counsel appearing for the petitioner submitted that the petitioner has challenged the stop work notice dated 29.03.2019 issued in respect of the above mentioned premises by filing an appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, on 05.04.2019. Further, the learned counsel submitted that it would suffice to direct the first respondent, the Revisional Authority, to dispose of the stay application filed along with the appeal under Section 80-A on 05.04.2019, within a time frame. The learned counsel further submitted that till such time, the respondents may be directed to maintain status quo.

3.Heard Mr.S.Kamalesh Kannan, learned Government Advocate, who takes notice for the first respondent and Dr.C.Ravichandran, learned Standing Counsel, who takes notice on behalf of respondents 2 to 4. The learned Government Advocate submitted that the stay application would be disposed of within a period of ten days.

4.In view of the submissions made by the learned counsel on either side, we direct the first respondent to dispose of the stay application filed by the petitioner on 05.04.2019 within a period of ten days from the date of receipt of a copy of this order. Till such time, the respondents are directed to maintain status quo as on today.

With the above directions, the writ petition is disposed of. No costs. Consequently, W.M.P.No.13074 of 2019 is closed.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Secretary to Government,
Housing and Urban Development Dept.,
St. George Fort, Chennai 600 009.
2. The Commissioner,
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High Road, Chennai 600 021.

+1cc to Dr.C.Ravichandran, Advocate, S.R.No.42375

+1cc to Mr.V.Vasantha Kumar, Advocate, S.R.No.42382

+1cc to the Government Pleader, S.R.No.43067

W.P.No.12885 of 2019

EV(CO)
CS/13/06/2019



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